



November 30, 2007

The Honorable Christine O. Gregoire  
Governor of Washington  
PO Box 2114 Olympia, WA 98507

The Honorable Theodore R. Kulongoski  
Governor of Oregon 160  
State Capitol 900 Court Street  
Salem, Oregon 97301-4047

The Honorable Arnold Schwarzenegger  
Governor of California  
State Capitol Building Sacramento, CA 95814

**RE: Surfrider Foundation Recommendations for West Coast Governors'  
Agreement on Ocean Health Regional Draft Action Plan**

Dear Governors:

The Surfrider Foundation respectfully submits the following comments on the West Coast Governor's Agreement on Ocean Health Regional Action Plan for all three states.

The Surfrider Foundation is a non-profit environmental organization dedicated to the protection and enjoyment of the world's oceans, waves and beaches for all people, through conservation, activism, research and education. The Surfrider Foundation has over 50,000 members and 60 chapters across the United States and Puerto Rico, with international affiliates in Australia, Europe, Japan and Brazil.

As the U.S. Commission on Ocean Policy and Pew Oceans Commission both recently noted, our nation's oceans and coasts are in crisis and need immediate, aggressive actions to restore and protect them. The Surfrider Foundation strongly supports collaboration among the three West Coast states in protecting ocean and coastal resources, which forms the basis of this agreement.

**General Comments**

As we wrote in our August 1<sup>st</sup>, 2007 comment letter, we believe that a key to success of the Governor's Agreement is to establish achievable and measurable benchmarks to be accomplished within the first one to three years of the agreement.

For this Action Plan to be successful in protecting and preserving coastal and ocean health, we believe it requires actions that will result in measurable changes in governance and/or tangible conservation outcomes. The common action verbs in this plan currently include: share, encourage, collaborate, work with, exchange information, examine, assess, explore. We are concerned that such actions do not reflect the leadership and commitment necessary to reverse the declining health of our coastal and ocean resources. We identified four actions that are discrete and measurable and will result in better coastal ocean health and management:

Action 1.4 - Establish baseline estimates of marine debris and derelict gear off the West Coast and set reduction goals.

Action 2.1 - Document, describe, and map ecological communities throughout West Coast waters and characterize existing human uses of those areas.

Action 2.2 - Restore estuarine habitats, including coastal wetlands, to achieve a net increase in habitat and their function by at least ten percent over the next ten years.

Action 2.3 - Plan for full eradication of Spartina by 2018.

We believe these actions exemplify how all of the actions should be crafted so that the action plan is designed to achieve measurable progress towards improving the health of our oceans and coasts.

## **Section Specific Comments**

### **Preparing for the Effects of Climate Change**

We applaud the three West Coast states for addressing the climate change and the need to anticipate its impacts to coastal and ocean management. While it is essential that we assess shoreline changes and anticipated impacts to coastal areas from climate induced sea level rise, we are currently experiencing critical coastal erosion issues that need to be addressed now if we hope to minimize future impacts related to climate change.

It has been estimated that approximately 950 miles of California's 1,120 miles of coastline are actively eroding. These areas comprise 86% of the coastline.

In Oregon, the Oregon Ocean and Coastal Management Program staff estimate that 180 miles of beach (approximately 50% of the coastline) is eroding.

In Washington there are critical erosion issues in many coastal counties such as Grays Harbor County and Pacific County as well as inside Puget Sound

Along the developed coasts of Washington, Oregon, and California, coastal erosion is a serious concern in many communities, and climate change combined with rising sea levels will only exacerbate these problems. Through our State of the Beach report, the Surfrider Foundation has tracked each coastal state's progress on several "beach health

indicators” for eight years ([www.surfrider.org/stateofthebeach/home.asp](http://www.surfrider.org/stateofthebeach/home.asp)). We have three indicators that are particularly relevant to coastal erosion issues: coastal erosion, shoreline armoring and erosion response. Over the years we have developed a clear picture on how the states compare to each other.

Under our section on model state programs, we show the states with the best policies on a number of important coastal issues. For shoreline armoring, Oregon has one of the most progressive policies in the nation ([www.surfrider.org/stateofthebeach/08-fc/body.asp?sub=ShorelineStructures](http://www.surfrider.org/stateofthebeach/08-fc/body.asp?sub=ShorelineStructures)).

**In order to respond to the shoreline development and erosion challenges that climate change will exacerbate, we urge the three West Coast states to develop updated and consistent coastal erosion policy based on the best practices for shoreline armoring and sediment management exemplified by Oregon’s policies.**

### **Sections 1.1 - 1.3: Polluted Runoff and Harmful Algal Blooms**

With regard to Action 1.1, we encourage the West Coast states to not only support reauthorization of the BEACH Act, but to advocate for full funding (authorized funding has been stuck at approximately \$10 million per year instead of \$40 million since the BEACH Act was first approved seven years ago) and expansion of allowable uses of funds, such as for source identification, to allow the program to move beyond identification of problems to implementation of solutions to achieve cleaner water and reduced human health and environmental impacts.

With regard for Action 1.2, it should be stressed that LID is not just applicable to new development. Since many coastal areas are already heavily developed with the associated significant hydromodification of watersheds, there is significant potential for LID and “reverse hydromodification” to be applied to redevelopment projects in these areas to improve coastal water quality.

We recommend that Ventura, CA be considered for one of the six West Coast communities considered for the LID pilot efforts. This will compliment existing ecosystem-based management efforts in that community.

### **Section 1.4: Marine Debris**

The proposed actions do very little to address the growing problem of land-based plastic marine debris. The draft action plan emphasizes general cleanup efforts over source reduction efforts. Regarding cleanups, as stated in our previous comment letter, Surfrider supports setting aggressive goals, such as Los Angeles Regional Water Quality Control Board’s “zero trash” TMDL for the Los Angeles River cited by the California Ocean Protection Council. TMDLs of this type should be developed for all trash and plastic debris-impacted coastal streams. Setting these aggressive goals will promote both cleanup and source removal actions.

Furthermore, additional specific actions should be taken by all three West Coast states in line with the resolution adopted in February 2007 by California's Ocean Protection Council. Following are additional edited recommendations taken from that resolution.

1. The states should look closely at extending the CRV or similar Extended Producer Responsibility programs to include plastics commonly found in marine debris. The states should also make changes to any existing recycling "processing fee" to encourage greater recycling of all forms of plastic containers.
2. The states should increase enforcement of existing anti-litter laws generally (e.g., highway anti-litter laws, Clean Water Act total maximum daily loads for trash), and specifically the enforcement of laws to eliminate pollution by plastic resin pellets (nurdles). Increased enforcement will not only reduce littering directly, it will send a strong message to the public that littering is not an acceptable social behavior. With respect to plastic resin pellets, best management practices (as identified in California's A Plan of Action from The Plastic Debris Project, June 2006) should be disseminated widely and implemented to eliminate the discharge of pellets into the marine environment. The states should prepare plans setting targets for the reduction of nurdles, including handling and transport regulation and related enforcement provisions.
3. The states should work to promote fundamental state policy changes to prioritize the issue of marine debris reduction (e.g., the California State Water Resources Control Board's inclusion of prioritization of plastic debris as an amendment to the Ocean Plan.)
4. The states should support the investigation and implementation of packaging alternatives that minimize the amount of packaging; contain recyclable materials; and/or are comprised of materials that biodegrade in the marine environment and contain no potentially toxic materials.
5. The states should aggressively promote an increase in the availability of trash, recycling and cigarette butt receptacles at public places, schools, and commercial establishments.

## **Section 2: Protect and Restore Ocean and Coastal Habitats**

The Surfrider Foundation believes that efforts to protect and restore ocean health and coastal habitats require actions that include the establishment of marine protected areas (MPAs) and a better understanding of the ecological importance of beaches.

Marine protected area designation is being actively pursued in both Oregon and California and voluntary MPAs are being used in Puget Sound, WA. We urge the three states to include MPAs as a tool to protect ocean and coastal habitats.

When protecting coastal habitats, it is important not to exclude beaches. Beaches are typically managed with little regard for their ecological role in land-sea connections.

A recent paper notes that society recognizes the important economic, recreational, and aesthetic values of beaches but often overlooks the ecological value of sandy beaches (Schlachter et. al., "Sandy beaches at the brink," Diversity and Distributions: A Journal of Conservation Biogeography, Published online 5/14/2007). As part of an ecosystem-based approach to protecting and restoring ocean and coastal habitats, the importance of beaches that literally bridge the land-sea connection should be included.

### **Section 3: Ecosystem-based Management**

We applaud the three West Coast states for stressing the importance of ecosystem-based management (EBM) as not only a central theme but also as a specific action item supporting EBM pilot efforts on the West Coast. The action plan clearly reflects comments made to the discussion document, but we think the actions related to EBM are too passive. Given that EBM was a central point in both national ocean reports we urge the three West Coast states to formally acknowledge active EBM case studies, provide direct agency support, political support, and resources to help these efforts succeed and hopefully guide broad incorporation of EBM into coastal and ocean management.

### **Section 4.2: Alternative Environmentally Sustainable Energy Development**

We support the proposed action but suggest that it include more specific actions to be more inclusive of coastal stakeholders and ensure that all environmental impacts are thoroughly researched. Two actions we recommend are:

Develop and support planning efforts at the local level that engage citizens, including all stakeholder groups, in alternative energy development. Given the potential impacts to the environment, aesthetics, public safety, and existing ocean uses, it is critical to engage coastal communities in these discussions. Doing so will help address issues of local concern, and support efforts to reduce adverse impacts.

Leverage state and federal funding to support comprehensive research and monitoring of alternative energy sites. Wave energy, tidal energy, etc. represent new uses of the ocean, and potential impacts to the environment and public safety are poorly understood.

### **Section 5: Increase Ocean Awareness and Literacy Among Citizens**

The plan specifically mentions that there is a lack of coordination or comprehensive strategy among and between the various existing ocean literacy efforts, yet no action is presented to improve coordination in a strategic manner to optimize effectiveness of all efforts. Actions 5.1 and 5.2 attempt to increase educational opportunities without developing a specific strategy that encompasses pulling together the existing programs. It is also unclear who, within each state, would be responsible for implementing the recommended activities. For example, several state agencies in California have their own ocean education programs. There needs to be a clear plan of specific actions to be taken beyond simply "exploring opportunities" and "pursuing partnerships." We encourage specific tasks such as working with State Departments of Education to incorporate the recently established Ocean Literacy standards to statewide school standards.

The problem of Marine Debris and the importance of taking individual responsibility for trash and marine debris prevention and reduction should be an important part of the ocean awareness and literacy program. In order to promote environmental education and outreach on the impacts of plastic debris and litter prevention, the states should work to promote a consistent “Don’t Trash Our Coast” message and also work to promote marine debris reduction education in schools.

### **Section 7.2: Sustainable Coastal Economies**

The Surfrider Foundation supports the action to develop a baseline for coastal economies and suggests an additional action to measure socioeconomic indicators over time so we can better understand how management actions impact coastal economies.

**Develop a standardized set of coastal socioeconomic indicators** – Researchers with the National Ocean Economics Program are developing socioeconomic indicators that can link ecosystem health with economic vitality in coastal communities. Currently, researchers are working on this program in three areas in California: Elkhorn Slough in Moss Landing, Morro Bay, and Santa Monica Bay. Surfrider recommends that the West Coast governors expand this program to locations in each state and to represent more diverse locations from large cities to small communities. For more information on the coastal socioeconomic indicators program, see [www.oceaneconomics.org](http://www.oceaneconomics.org).

**Identify and publicize model sustainable coastal communities** – A research effort to identify and publicize model sustainable coastal communities would provide tangible places for other communities to learn from. One of the challenges of fostering sustainable development is that the term is often used vaguely. By showcasing communities where ocean health clearly supports economic health, the West Coast governors would foster sustainable development in their states.

### **Section 7.3: Regional Sediment Management:**

The Surfrider Foundation applauds the three West Coast states for their regional sediment management effort. We urge the states to make this process more inclusive and transparent so that the public can become more involved in the process. This will improve the receptiveness of sediment management efforts in coastal communities. We have already witnessed communities who have reacted negatively to projects simply because they were not well informed about them.

Surfrider appreciates the opportunity to submit these comments. We applaud the West Coast governors for their efforts to develop an action plan and look forward to working together to improve ocean health.

Sincerely,



Jim Moriarty  
Chief Executive Officer  
Surfrider Foundation